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Tarrant County Texas

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2 Pages

Suzanne Henderson

AMENDMENT TO OIL AND GAS LEASE

(To Correct Land Description)

Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: Your social security number or your driver's license number.

STATE OF TEXAS

COUNTY OF TARRANT

LESSOR: Bobby D. Whitt, a married man dealing in his sole and separate property

6221 Skylark Circle Fort Worth, Texas 76180

LESSEE: Finley Resources, Inc.

1308 Lake Street

Fort Worth, Texas 76102

Effective Date: August 14, 2008

Lessee, named above, and XTO Energy Inc., are the present owners of an Oil and Gas Lease (the "Lease"), dated April 15, 2005, from Lessor, named above, which Lease is recorded in D205172226 of the Official Public Records of the county and state named above and by Lease Extension and Advance Rental Payment Agreement dated April 14, 2008, which Lease Extension and Advance Rental Payment Agreement extends the Primary Term of the Oil and Gas Lease until April 15, 2010 and is a paid up Oil and Gas Lease, recorded in D208189584 of the Official Public Records of the county and state named above. Finley Resources, Inc. made a partial assignment of this lease to XTO Energy Inc. in Partial Assignment of Oil, Gas and Mineral Leases with Reservation of Overriding Interest, dated March 16, 2009, recorded in Instrument Number D209105034, Official Public Records of the county and state named above.

At the time the Lease was entered into, the description of the lands contained in the Lease was believed by Lessor and Lessee to cover, and was intended by them to cover, certain lands owned by Lessor.

Since the execution, delivery, and recording of the Lease, it has been discovered that the description of lands contained in the Lease does not adequately describe the lands Lessor and Lessee intended to be covered by the Lease. Lessor and Lessee desire to amend and correct the description of the lands contained in the Lease to accurately identify the lands to be covered by and subject to the terms of the Lease.

For adequate consideration, and the further consideration of the obligations and agreements contained in the Lease, Lessor acknowledges and agrees that the Lease shall cover, and the Lease is amended, so that it now covers the following lands in the county and state named above:

TRACT ONE: 9.386 acres, more or less, being the same lands depicted and described as Lot 2, Block 1, Cahoba Business Addition, an Addition to the City of Fort Worth, Tarrant County, Texas, according to a Plat, recorded under Tarrant County Clerk Document No. D200095484, Deed Records, Tarrant County, Texas; also being "Tract 1" described in a Deed, dated August 24, 2005, from Cahoba 820, Ltd., to the State of Texas, filed under Tarrant County Clerk Document No. D205292577, Deed Records, Tarrant County, Texas

TRACT TWO: 0.386 acres, more or less, being "Tract 2", described in a Deed, dated August 24, 2005, from Cahoba 820, Ltd., to the State of Texas, filed under Tarrant County Clerk Document No. D205292577, Deed Records, Tarrant County, Texas.

Lessor ratifies, adopts, and confirms the Lease and extends the Lease to cover the lands described in this Amendment as if the description of lands set out above had been originally included in the Lease. Lessor grants, leases, and lets to Lessee, its successors and assigns, the lands described in this Amendment for the purposes of and on the terms, conditions, and provisions contained in the Lease.

This Amendment shall be binding for all purposes on Lessor and Lessor's successors, heirs and assigns.

| Before me, the undersigned authority, on this day personally Bobby D. Whitt, subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated. Given under my hand and seal of office this SUST day of NOTARY PUBLIC STATE OF TEXAS NOTARY PUBLIC STATE OF TEXAS NOTARY PUBLIC STATE OF TEXAS THE STATE OF TEXAS This instrument was acknowledged before me on the day of the 2009, by of FINLEY RESOURCES, INC., on behalf of said corporation. WADE GARRETT CHAP! Notary Public, State of Texas WADE GARRETT CHAP! Notary Public, State of Texas October 21, 2009 | | LESSOR: |
|--|--|--|
| Finley Resources, Inc. LINE By: Light Miller Printed Name: Shahar M. Clack Title: LO CURRENT LESSEE: XTO Energy Inc. By: Light J. Light J. Edwin S. Ryan Jr. Sr. Vice President Land Administration THE STATE OF TEXAS COUNTY OF TARRANT Before me, the undersigned authority, on this day personally Bobby D. Whitt, subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated. Given under my hand and seal of office this JST day of 2009. GINNY SANDERS NOTARY PUBLIC STATE OF TEXAS NOTARY PUBLIC STATE OF TEXAS Asy comm. Sep. 648-2011 This instrument was acknowledged before me on the day of the Colober 31, 2009 Of FINLEY RESOURCES, INC., on behalf of said corporation. WADE GARRETT CHARMY (Colober 31, 2009) WADE GARRETT | | Bobby D. Whitt, a married man dealing in his sole and separate property |
| CURRENT LESSEE: XTO Energy Inc. By: Low J. Low J. Edwin S. Ryan Jr. Sr. Vice President Land Administration THE STATE OF TEXAS COUNTY OF TARRANT Before me, the undersigned authority, on this day personally Bobby D. Whitt, subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated. Given under my hand and seal of office this | | |
| CURRENT LESSEE: XTO Energy Inc. By: Edwin S. Ryan Jr. Sr. Vice President – Land Administration THE STATE OF TEXAS COUNTY OF TARRANT Before me, the undersigned authority, on this day personally Bobby D. Whitt, subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated. Given under my hand and seal of office this | | Finley Resources, Inc. Will |
| CURRENT LESSEE: XTO Energy Inc. By: Edwin S. Ryan Jr. Sr. Vice President – Land Administration THE STATE OF TEXAS COUNTY OF TARRANT Before me, the undersigned authority, on this day personally Bobby D. Whitt, subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated. Given under my hand and seal of office this State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the day of the same for the purposes and consideration therein expressed and in the capacity therein stated. Notary Public State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the day of the same for the purposes and consideration. WADE GARRETT CHARNOWLEDGES, INC., on behalf of said corporation. WADE GARRETT CHARNOWLEDGES, INC., on behalf of said corporation. WADE GARRETT CHARNOWLEDGES, INC., on behalf of said corporation. WADE GARRETT CHARNOWLEDGES, INC., on behalf of said corporation. Notary Public, State of Texas Notary Public, State of Texas CHARLA F. WILKES | | By: Agr Melin |
| CURRENT LESSEE: XTO Energy Inc. By: Edwin S. Ryan Jr. Sr. Vice President Land Administration THE STATE OF TEXAS COUNTY OF TARRANT Before me, the undersigned authority, on this day personally Bobby D. Whitt, subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated. Given under my hand and seal of office this | | |
| Edwin S. Ryan Jr. Sr. Vice President - Land Administration THE STATE OF TEXAS COUNTY OF TARRANT Before me, the undersigned authority, on this day personally Bobby D. Whitt, subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated. Given under my hand and seal of office this JUST day of 2009. ONOTARY PUBLIC STATE OF TEXAS NOTARY PUBLIC STATE OF TEXAS NOTARY Public State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the day of the 2009. Notary Public, State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the Notary Public, State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the Notary Public, State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the Notary Public, State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the Notary Public, State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the Notary Public, State of Texas Notary Public, State of Texas Notary Public, State of Texas | | Title: |
| Edwin S. Ryan Jr. Sr. Vice President – Land Administration THE STATE OF TEXAS COUNTY OF TARRANT Before me, the undersigned authority, on this day personally Bobby D. Whitt, subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated. Given under my hand and seal of office this State of Texas Given under my hand and seal of office this State of Texas Notary Public State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the MADE GARRET CHAP. Notary Public, State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the MADE GARRET CHAP. Notary Public, State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the MADE GARRET CHAP. Notary Public, State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the MADE GARRET CHAP. Notary Public, State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the MADE GARRET CHAP. Notary Public, State of Texas Notary Public, State of Texas | | CURRENT LESSEE: |
| Edwin S. Ryan Jr. Sr. Vice President Land Administration THE STATE OF TEXAS COUNTY OF TARRANT Before me, the undersigned authority, on this day personally Bobby D. Whitt, subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated. Given under my hand and seal of office this JLST day of 2009. GINNY SANDERS NOTARY PUBLIC STATE OF TEXAS THE STATE OF TEXAS THE STATE OF TEXAS OCUNTY OF TARRANT This instrument was acknowledged before me on the Molary Public, State of Texas WADE GARRET CHAP. Notary Public, State of Texas WADE GARRET CHAP. Notary Public, State of Texas WADE GARRET CHAP. Notary Public, State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the Molary Public, State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the Molary Public, State of Texas Notary Public, State of Texas CHARLAF. WILKES CHARLAF. WILKES | | |
| THE STATE OF TEXAS COUNTY OF TARRANT Before me, the undersigned authority, on this day personally Bobby D. Whitt, subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated. Given under my hand and seal of office this 2LST day of 2009. GINNY SANDERS NOTARY PUBLIC STATE OF TEXAS THE STATE OF TEXAS COUNTY OF TARRANT This instrument was acknowledged before me on the day of the 2009, by acknowledged before me on the Market State of Texas Notary Public, State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the Market State of Texas Notary Public, State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the Market State of Texas Notary Public, State of Texas CHARLAF WILKES CHARLAF WILKES | | By: Edward. Refor. It |
| Before me, the undersigned authority, on this day personally Bobby D. Whitt, subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated. Given under my hand and seal of office this | | |
| Before me, the undersigned authority, on this day personally Bobby D. Whitt, subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated. Given under my hand and seal of office this DIST day of 2009. GINNY SANDERS NOTARY PUBLIC STATE OF TEXAS THE STATE OF TEXAS COUNTY OF TARRANT This instrument was acknowledged before me on the day of the 2009, by Commission Employees a construction of FINLEY RESOURCES, INC., on behalf of said corporation. WADE GARREIT CHAP NOTARY Public, State of Texas THE STATE OF TEXAS COUNTY OF TARRANT This instrument was acknowledged before me on the Angel Colober 21, 2009 Notary Public, State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the Angel Colober 21, 2009 Notary Public, State of Texas Notary Public, State of Texas Notary Public, State of Texas | THE STATE OF TEXAS | |
| to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated. Given under my hand and seal of office this | COUNTY OF TARRANT | |
| GINNY SANDERS NOTARY PUBLIC STATE OF TEXAS COUNTY OF TARRANT This instrument was acknowledged before me on the day of the of FINLEY RESOURCES, INC., on behalf of said corporation. WADE GARRETT CHAP Notary Public, State of Texas Notary Public, State of Texas This instrument was acknowledged before me on the Notary Public, State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the Colober 21, 2009 The Land Manint Stration of XTO ENERGY INC, on behalf of said corporation. Notary Public, State of Texas Notary Public, State of Texas Notary Public, State of Texas | to the foregoing instrument, and acknowledge | d to me that he executed the same for the purposes e capacity therein stated. |
| Notary Public State of Texas The STATE OF TEXAS COUNTY OF TARRANT This instrument was acknowledged before me on the 2009, by of FINLEY RESOURCES, INC., on behalf of said corporation. WADE GARRETT CHAP Notary Public, State of Texas THE STATE OF TEXAS COUNTY OF TARRANT This instrument was acknowledged before me on the Notary Public, State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the 2009, by Public State of Texas COUNTY OF TARRANT This instrument was acknowledged before me on the 2009, by Public State of Texas Notary Public, State of Texas Notary Public, State of Texas | | seal of office this <u>JUS</u> † day of |
| This instrument was acknowledged before me on the 2009, by of FINLEY RESOURCES, INC., on behalf of said corporation. WADE GARREIT CHAP Notary Public, State of My Commission Expination of Colober 21, 2009 THE STATE OF TEXAS COUNTY OF TARRANT This instrument was acknowledged before me on the 2009, by Province of XTO ENERGY INC., on behalf of said corporation. Notary Public, State of Texas Notary Public, State of Texas CHARLA F. WILKES | GINNY SANDERS NOTARY PUBLIC STATE OF TEXAS | Notary Public State of Texas |
| 2009, by GARRETT CHAP, Notary Public, State of Texas WADE GARRETT CHAP, Notary Public, State of | COUNTY OF TARRANT | ** |
| Notary Public, State of Texas | June, 2009, by | Stephen M. Unr h, the |
| This instrument was acknowledged before me on the 19th day of the 2009, by Church S Ryan w the YP-Land (Idministration of XTO ENERGY INC, on behalf of said corporation. Notary Public, State of Texas | THE STATE OF TEXAS | WADE GARRETT CHAPP Notary Public, State of T My Commission Expir October 21, 2009 |
| This instrument was acknowledged before me on the 19th day of the 2009, by Church Seyan who the YP-Land (Idministration of XTO ENERGY INC, on behalf of said corporation. Notary Public, State of Texas | | |
| Notary Public, State of Texas 2009, by Phun S Ryan, White the MP-Land (Idministration of XTO ENERGY INC, on behalf of said corporation. Notary Public, State of Texas | | and horn in 10th. |
| CHARLA F. WILKES | <u>Jure</u> ,, 2009, by | the |
| CHARLA F. WILKES § | ^ 4 | 2 1/10 kg |
| | Charla | Notary Public, State of Texas |